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### **AMENDMENTS TO THE CLAIMS**

1. (original) A method for automatically selecting an available data bearer for a data call initiated by a mobile station, comprising:

initiating a data call sequence;

generating a session request;

transmitting the session request to a wireless network;

receiving a session status message from the wireless network, the session status message indicating whether the session requested was successfully established; and

if the session requested was not successfully established, the mobile station automatically generating and transmitting a new session request, the new session request indicating an alternate data bearer for the data call.

2. (original) The method of claim 1, wherein initiating a data call sequence comprises invoking program instructions stored in a memory element in response to a trigger event.

3. (original) The method of claim 2, wherein the trigger event is user interaction via a user interface.

4. (original) The method of claim 2, wherein the trigger event is a scheduled data call.

5. (original) The method of claim 1, wherein generating the session request comprises generating a data string that includes at least one of the following data elements: a call type, information identifying an initial data bearer, and information regarding data to be accessed via the voice call.

6. (original) The method of claim 1, wherein transmitting the session request comprises sending the session request over a control channel of the wireless network.

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7. (original) The method of claim 1, wherein transmitting the session request comprises sending the session request to a mobile switching center (MSC).

8. (original) The method of claim 1, further comprising upon receiving the session status message, displaying information indicating whether the session requested was successfully established on a display component of the mobile station.

9. (original) The method of claim 1, further comprising if the session requested was successfully established, commencing the data call.

10. (original) The method of claim 1, further comprising:  
prior to generating and transmitting a new session request, determining whether a terminating event has occurred; and  
if a terminating event has occurred, canceling the data call initiated by the mobile station.

11. (original) The method of claim 10, wherein determining whether a terminating event has occurred comprises determining whether the current data call has been attempted using each data bearer in a table of data bearers at least a predetermined number of times.

12. (original) The method of claim 10, wherein determining whether a terminating event has occurred comprises determining whether a predetermined number of attempts have been made to successfully establish the session requested.

13. (original) The method of claim 10, wherein determining whether a terminating event has occurred comprises determining whether a predetermined amount of time has elapsed.

14. (original) The method of claim 10, wherein determining whether a terminating event has occurred comprises determining whether external intervention has occurred.

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15. (original) The method of claim 1, wherein generating and transmitting the new session request that indicates the alternate data bearer comprises accessing a table of data bearers stored in a memory component of the mobile station.

16. (original) A mobile station that automatically selects an available data bearer for a data call over a wireless network, comprising:

an application layer, comprising:

a memory, comprising:

a table for storing a list of data bearers; and  
program instructions; and

a controller for invoking program instructions stored in the memory in response to initiation of a data call, the program instructions causing the controller to:

generate a session request;

transmit the session request to the wireless network;

receive a session status message from the wireless network, the session status message indicating whether the session requested was successfully established; and

if the session requested was not successfully established, generate and transmit a new session request, the new session request indicating an alternate data bearer for the data call; and

a device layer, comprising:

a user interface, comprising:

an input device for receiving commands from a user of the mobile station;

and

an output device for communicating information regarding the status of the session request to the user of the mobile station;

a transmitter for sending session requests to the wireless network; and

a receiver for receiving the session status message.

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17. (original) The mobile station of claim 16, wherein the controller is further caused by the program instructions to generate and transmit the new session request that indicates the alternate data bearer by accessing the table for storing a list of data bearers.

18. (original) The mobile station of claim 16, wherein the program instructions cause the controller to generate and transmit a new session request until the occurrence of a terminating event, the terminating event comprising at least one of the following: exhaustion of a predetermined number of attempts to establish the session, exhaustion of the list of data bearers, expiration of a predetermined amount of time, and external intervention.

19. (new) A mobile station that automatically selects an available data bearer for a data call over a wireless network, comprising:

an application layer, comprising:

a memory, comprising:

a table for storing a list of data bearers; and

program instructions; and

a controller for invoking program instructions stored in the memory in response to initiation of a data call, the program instructions causing the controller to:

generate a session request;

transmit the session request to the wireless network;

receive a session status message from the wireless network, the session status message indicating whether the session requested was successfully established; and

if the session requested was not successfully established, generate and transmit a new session request, the new session request indicating an alternate data bearer for the data call; and

a device layer, comprising:

a transmitter for sending session requests to the wireless network; and

a receiver for receiving the session status message.

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20. (new) The mobile station of claim 19, wherein the controller is further caused by the program instructions to generate and transmit the new session request that indicates the alternate data bearer by accessing the table for storing a list of data bearers.

21. (new) The mobile station of claim 19, wherein the program instructions cause the controller to generate and transmit a new session request until the occurrence of a terminating event, the terminating event comprising at least one of the following: exhaustion of a predetermined number of attempts to establish the session, exhaustion of the list of data bearers, expiration of a predetermined amount of time, and external intervention.

22. (new) The mobile station of claim 19, wherein generating a session request comprises identifying an initial data bearer for establishment of the data call.

23. (new) A method performed by a mobile station for automatically selecting an available data bearer for a data call over a wireless network, comprising:  
initiating a data call sequence;  
in response to initiating the data call sequence, invoking program instructions stored in a memory element of the mobile station, the program instructions causing the mobile station to:  
generate a session request identifying an initial data bearer for establishment of the data call;  
transmit the session request to the wireless network;  
receive a session status message from the wireless network, the session status message indicating whether the session requested was successfully established;  
communicate information regarding the status of the session request to the user of the mobile station via an output device integral to the mobile station; and  
if the session requested was not successfully established, automatically generate and transmit a new session request, the new session request identifying an alternate data bearer for the data call.